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4 JERALD A. BOVINO,
5 Plaintiff,

6 v.
7 INCASE DESIGNS CORP,
8 Defendant.

9 Case No. 14-cv-02105-VC
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11 **ORDER DENYING MOTION TO
12 STRIKE AND ALLOWING
13 SUPPLEMENTAL BRIEFING**

14 Re: Dkt. No. 96

15 Incase's motion to strike is denied without prejudice to refiling it pending the outcome of
16 its early motion for summary judgment.

17 Incase may file a supplemental brief in support of its summary judgment motion for the
18 sole purpose of making the argument that Bovino's new infringement theory involving iPad users
19 is barred as a matter of law due to the License Agreement between Bovino and Apple/Target.
20 Incase's supplemental brief may not exceed five pages and is due on February 25, 2015. Bovino's
21 opposition, also not to exceed five pages, is due on March 4, 2015. No reply will be allowed.

22 **IT IS SO ORDERED.**

23 Dated: February 18, 2015

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VINCE CHHABRIA
United States District Judge